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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE  
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)  
**50623.308**

In re Application of: **Hossainy et al.**

Application No. **10/718,278**

Filed: **November 19, 2003**

For: **BIOLOGICALLY BENEFICIAL COATINGS FOR IMPLANTABLE DEVICES CONTAINING FLUORINATED  
POLYMERS AND METHODS FOR FABRICATING THE SAME**

The owner\*, Advanced Cardiovascular Systems, Inc. owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number **11/641,250**, filed on **December 18, 2006**, of any patent on the second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney of record. Reg. No. 46,872

/ZLI/

October 3, 2007

Signature

Date

Zhaoyang Li, Ph.D.

Typed or printed name

415-954-0200

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) charge to Deposit Account Number 07-1850.

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